

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**TONY C. BROACH**

**Plaintiff(s),**

BOB RILEY, ET AL.

**Defendant(s).**

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**CASE NO. 2:06-CV-228-WHA**

**RESPONSE TO ORDER TO SHOW CAUSE**

Comes now Governor Bob Riley, by and through the Attorney General for the State of Alabama, the Honorable Troy King, and responds to this Honorable Court's Order of May 26, 2006, as follows:

1. The Office of the Attorney General has located no record of a request to represent Governor Riley in this matter, but certainly no one intended to ignore this Honorable Court's previous Order of April 12, 2006.
2. This Defendant adopts and incorporates by reference as if herein set out in full each and every defense in co-defendants' Special Report (Document 14) filed May 23, 2006.
3. This Defendant points out that the Governor does not administer the granting of pardons and paroles; they are administered by the Board of Pardons and Paroles, a legislative agency. Amendment 38 to the Constitution of Alabama of 1901 now found as Article 5 § 124 of the Official Recompilation of the Constitution of Alabama 1901.

Respectfully submitted,

TROY KING  
ATTORNEY GENERAL

/s/ Jeffery H. Long  
Jeffery H. Long  
ASSISTANT ATTORNEY GENERAL

**CERTIFICATE OF SERVICE**

I hereby certify that I have, this the 1st day of June, 2006, electronically filed the foregoing with the Clerk of Court using the CM/ECF and served a copy of the foregoing upon the Plaintiff, by placing same in the United States Mail, postage prepaid and properly addressed as follows:

Tony Broach, AIS 136351  
Fountain Correctional Facility  
3800 Fountain  
Atmore, AL 36503

The Clerk of Court using the CM/ECF system will send notification of this filing to the following:

Dana L. Pittman, Esq.

/s/ Jeffery H. Long  
Jeffery H. Long  
ASSISTANT ATTORNEY GENERAL